

**CITY OF LOS BANOS  
PLANNING COMMISSION MEETING MINUTES  
SEPTEMBER 12, 2007**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the Planning Commission. For greater detail of this meeting refer to the electronic media (audiotapes) kept as a permanent record.*

The Planning Commission of the City of Los Banos met on the above given date.

**CALL TO ORDER:** Planning Commissioner Donovan called the Planning Commission Meeting to order at the hour of 7:00 p.m.

**ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT:** Araceli Anderson, Deborah Lewis, Jose Manzo, and Chairman Norm Donovan. Stephen Hammond absent.

**STAFF MEMBERS PRESENT:** Administrative Assistant/Secretary Cinthia Fast, City Attorney, Bill Vaughn, Planning Manager, John LeVan, Assistant Planner, Stacy Souza, and Public Works Director/City Engineer, Dwayne Chisam.

**APPROVAL OF AGENDA:** Motion by Lewis, seconded by Anderson, to approve the agenda as submitted. The motion carried by the affirmative vote of all Commission Members present.

**CONSIDER APPROVAL OF ACTION MINUTES:** Motion by Lewis, seconded by Anderson, to approve the August 8, 2007 minutes as submitted. The motion carried by the affirmative vote of all Commission Members present.

**PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION.** No one came forward to speak, and the public forum was closed.

**CONSIDERATION OF APPROVAL OF SITE PLAN REVIEW #2007-09 TO DEVELOP A TWO-ACRE PARCEL FOR A GAS STATION, MINI-MART AND RETAIL BUILDING ON PROPERTY LOCATED ON THE SOUTH SIDE OF PACHECO BLVD AND 700 FEET WEST OF WARD ROAD. ASSESSOR PARCEL NUMBER: 083-140-010.**

Planning Manager, LeVan, presented the report by PowerPoint. He indicated that a monument sign will be placed and is indicated at Highway 152. Commissioner Lewis asked about the elevation of the mini mart, a portion of the elevation shows facing west. The direction/entrance is going west of Pacheco and not facing north portion of the highway. John indicated that should be reversed on the maps. Commissioner, Anderson, asked about condition of approval fire dept #24 should have a condition indicating that there will be improvements to the street way and curb gutters. Public Works Director, Chisam, commented that there is recognition that the existing driveway through the side frontage would have to be reconstructed, and engineering will provide that for us. The conditional of approval will state to prepare a grading and drainage plan for public works to approve. Also condition #32 had some concern about curb gutter and sidewalk improvements. Commissioner Lewis wanted clarification on item #32B regarding median and possibly being required for construction of property. Wanted to know if the port chop was an absolute or the median an absolute, Public Works Director, Chisam, responded that the decision will be made by Caltrans as they issue the permit. The city will support the median and is important that the frontage of these projects get approved.

Chairman Donovan opened the public hearing.

Brad Lewis, from Huff Construction in Modesto, CA, came forward to speak. He is representing the property owner. He apologized for late entrance. He informed

commissioners and staff that the architect for the project was here to answer questions. He also stated that the staff did an excellent job presenting the report. The property owners were not present this evening. Commissioner Lewis gave Brad a copy of the operational statement and environmental statement to have the questions answered by the applicant. Frank Boots, Architect in Modesto, CA, came forward to answer a question by Commissioner Lewis about the overhang, if it was an a-frame or a roof hanging on 4 sides. He responded a large rectangular area, will cover all the cars at the six pumps, that it is not an a-frame.

Chairman Donovan closed the public hearing.

Commissioner Lewis made a recommendation not to have a sidewalk, but to leave some space to plant growth. Commissioner Lewis also made recommendation that the north side of the property be elevated 2 ½ feet and carry it around to the west side and the entrance, and the landscape for the turf be carried over on the north/east side to be consistent with the parking element to be covered. All elevation of turf to be continued around to the ingress/egress and all the northeast side be carried over and that the frontage of the landscaping be turfed also to match the front of the highway. Commissioner Anderson inquired if there were going to be permanent trash reciprocals in front. There was also concern with the area of the project. To the south it faces a mobile home park and for sound purposes, and for the tenants that reside there, maybe to put up a block wall fencing. Planning Manager, LeVan, responded that the wrought iron fence is easier to break up and that block walls will be located in the other projects when they occur. It was recommended by Commissioner Anderson, to request an additional trash reciprocal as a condition of approval.

City Attorney, Vaughn, explained that condition #1 should read "Site plan approval shall expire and become null and void if construction is not commenced within one year." Discretion to applicant and this clarifies that the applicant can apply for an extension if longer than one year. Also condition #2 states any modification of site plan of the code and required either modification or the plan can be revoked. City Attorney, Vaughn, would like to change the outline with staff to read, that if modifications and strike the words "of significant nature" and say "shall require of the site plan approval." Commissioner Lewis requested an amendment to condition #21, due to the middle of the sentence saying if any of landscaping dies, shall be replaced by similar species. Commissioner Lewis is recommending it to say that it be replaced by the same species and not similar. Also to add another sentence to indicate that the northeast of the property shall be turf and not jasmine. Request consistency across the front. Also in addition to condition #21, to indicate that the mini mart east elevation of 2/12 feet shall match the west side of the property and that it go all the way around to the east side so that it curves with the property, with the addition of planting and decorative iron grids, trellises within the relief. Condition #15 doesn't state that the gate shall be metal. Commissioners would like this condition to state that the doors to the trash bin will be metal doors. Commissioner Anderson made the recommendation that an additional trash reciprocal be required depending on the type of tenant that will occupy the retail facility at a later date. Would like to indicate that a smaller trash reciprocal will be installed on the front of the mini mart and the building.

Motion by Lewis, seconded by Anderson, to make appropriate findings and conditions of approval of Site Plan Review #2007-09 with the additional conditions that have been requested. The motion carried by the affirmative vote of all commissioners present.

**PLANNING MANAGER'S REPORT:** Planning Manager, LeVan, reported the residential design tour to Elk Grove, Sacramento, Tracy and San Jose, Looked at some very nice examples of single family and multi family units, landscaping, streetscapes, apartments and senior housing. Another Design Standards trip is being planned for October to go on a road trip to look at some of these examples. Would like to invite the city council and planning commissioners to attend as well.

**COMMISSIONERS REPORTS:**

**ARACELI ANDERSON:** No Report.

**DEBORAH LEWIS:** No Report.

**JOSE MANZO:** No Report.

**STEPHEN HAMMOND:** Absent

**NORM DONOVAN:** Asked about the mobile vendor ordinance. Planning Manager, LeVan, responded that it will be at the next Planning Commission meeting and that he has come up with some acceptable language. The Commissioner also mentioned when the signal light would be done in October? He also discussed the adjournment to the City Council Workshops.

**ADJOURNMENT.** The meeting was adjourned to 5:30 p.m. on Thursday, September 13, 2007, at the Miller & Lux Building, 830 6<sup>th</sup> Street, Los Banos, California, to Attend a City Council Workshop on the Rail Corridor Master Plan. Adjourn meeting to 6:00 p.m., Monday, September 17, 2007, at the Miller & Lux Building, 830 6<sup>th</sup> Street, Los Banos, California, to Review Community Center Designs.

APPROVED:

ATTEST:

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Norm Donovan, Chairman

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Cynthia Fast, Administrative Assistant